

GUIDELINE

BILL NO. OVERLAYS. 795 Amdt.

AMENDMENT NO.

CAL. NO.

COMMITTEE AMENDMENT

[Staff Working Draft]

May 3, 1999

Purpose: To make minor changes to the bill as introduced.

IN THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION SENATE
OF THE UNITED STATES_ 106 th Cong., 1 st Sess.

S. 795, 106 th Congress, 1 st Session

May __, 1999

() Referred to the Committee on _____ and ordered to be printed

() Ordered to lie on the table and to be printed

Intended to be proposed by Mr. Hollings

Viz:

On page 4, line 12, strike ``entities and individuals" and insert ``persons within the United States".

On page 4, line 14, strike ``affiliated entities" and insert ``affiliated persons".

On page 8, between lines 17 and 18, insert the following:

``(9) `importer' means a distributor located within the United States who contracts for the initial purchase of fasteners manufactured outside the United States;

On page 8, line 18, strike ``(9)" and insert ``(10)".

On page 8, line 22, strike ``(10)" and insert ``(11)".

On page 8, line 24, strike ``(11)" and insert ``(12)".

On page 9, line 11, strike ``(12)" and insert ``(13)".

On page 10, line 4, strike `and".

On page 10, line 7, insert `and" after the semicolon.

On page 10, between lines 7 and 8, insert the following:

``(H) the results or a summary of results of any tests performed for the purpose of verifying that a lot of fasteners conforms to its grade identification marking or to the grade identification marking the lot of fasteners is represented to meet;

On page 10, line 8, strike ``(13)" and insert ``(14)".

On page 10, line 12, strike ``(14)" and insert ``(15)".

On page 10, line 14, strike ``(15)" and insert ``(16)".

On page 10, line 19, strike ``(16)" and insert ``(17)".

On page 11, beginning in line 5, strike `a sale or offer for sale of a fastener," and insert `the sale or offer for sale of fasteners from a single lot,".

On page 12, line 18, strike `a fastener that is required" and insert `fasteners that are required".

On page 12, line 20, strike `its manufacturer" and insert `their manufacturer".

On page 12, line 22, strike `the fastener bears" and insert `the fasteners bear".

On page 13, between lines 6 and 7, insert the following:

(1) in subsection (b)(1), by striking `to have violated" and all that follows and inserting `to have__

``(A) negligently violated section 7 or any regulation under section 7 shall be liable to the United States for a civil penalty of not more than \$10,000 for each violation;

``(B) committed gross negligence in violating section 7 or any regulation under section 7 shall be liable to the United States for a civil penalty of not more than \$35,000 for each violation;

“(C) recklessly or intentionally violated section 7 or any regulations under section 7 shall be liable to the United States for a civil penalty of not more than \$50,000 for each violation;

“(D) violated section 4(a) or any regulation under section 4(a) shall be liable to the United States for a civil penalty of not more than \$50,000 for each violation; and

“(E) violated any other provision of this Act or any other regulation under this Act shall be liable to the United States for a civil penalty of not more than \$25,000 for each violation.”.

On page 13, line 7, strike “(1)” and insert “(2)”.

On page 13, line 9, strike “(2)” and insert “(3)”.

On page 13, line 11, strike “(3)” and insert “(4)”.

On page 14, line 1, insert “and importers” after “Manufacturers”.

On page 14, line 7, insert “or importer” after “the manufacturer”.

